



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheo *et al.*

Appl. No.: 09/732,914

Filed: December 11, 2000

For: **Use of Multiple Recombination
Sites with Unique Specificity in
Recombinational Cloning**

Confirmation No.: 2341

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

Fifteenth Supplemental Information Disclosure Statement

Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifteenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourteenth Supplemental Information Disclosure Statement filed on July 22, 2005 in connection with the above-captioned application.

Copies of documents AP23 to AN24, AS218-AR219 and AT219-AR222 and AR223 to AT226 are submitted herewith. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents AB22 to AH23, cited on the attached IDS Form PTO/SB/08A are not submitted. In addition, copies of documents AS222 and AT222 are not provided in accordance with the U.S.

Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 09/984,239, Brasch *et al.*, filed October 29, 2001; now pending and listed on accompanying Form PTO/SB/08B as Document **AS222**; and

Application No. 10/633,690, Bryd *et al.*, filed August 5, 2003; now pending and listed on accompanying Form PTO/SB/08B as Document **AT222**.

In accordance with the Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from:

the related co-pending U.S. Patent Application No. 09/432,085 as Document **AR223**;

the related co-pending U.S. Patent Application No. 09/855,797 as Documents **AS223** and **AT223**;

the related co-pending U.S. Patent Application No. 09/907,719 as Document **AR224**;

the related co-pending U.S. Patent Application No. 10/058,291 as Documents
AS224 and **AT224**;

the related co-pending U.S. Patent Application No. 10/058,292 as Documents
AR225 and **AS225**;

the related co-pending U.S. Patent Application No. 10/151,690 as Document
AT225;

the related co-pending U.S. Patent Application No. 10/162,879 as Documents
AR226 and **AS226**;

the related co-pending U.S. Patent Application No. 09/517,466 as Document
AT226;

which are directed to related technical subject matter. The identification of these U.S. Patent Applications and Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

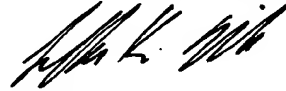
This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114, filed herewith. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

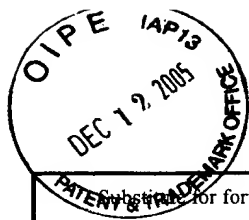
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: December 12, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
474084_1.DOC



Equivalent of Form PTO/SB/08A (07-05)

Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FIFTEENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	09/732,914	
			Filing Date	December 11, 2000	
			First Named Inventor	David CHEO	
			Art Unit	1636	
			Examiner Name	Ketter, J.S.	
Sheet	1	of	1	Attorney Docket Number	0942.5010002/RWE/BJD/JKM

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if Known)			
	AB22	5,994,136	11/30/1999	Naldini <i>et al.</i>	
	AC22	6,025,192	02/15/2000	Beach <i>et al.</i>	
	AD22	6,110,735	08/29/2000	Chartier <i>et al.</i>	
	AE22	6,120,764	09/19/2000	Graham <i>et al.</i>	
	AF22	6,121,043	09/19/2000	Cochran <i>et al.</i>	
	AG22	6,140,087	10/31/2000	Graham <i>et al.</i>	
	AH22	6,156,497	12/05/2000	Kaleko	
	AI22	6,165,782	12/26/2000	Naldini <i>et al.</i>	
	AJ22	6,228,646	05/08/2001	Hardy	
	AK22	6,281,000	08/28/2001	Chartier <i>et al.</i>	
	AA23	6,576,463	06/10/2003	Kasahara <i>et al.</i>	
	AB23	6,964,861	11/15/2005	Gerard <i>et al.</i>	
	AC23	2002/0182731 A1	12/05/2002	Ji <i>et al.</i>	
	AD23	2003/0022179 A1	01/30/2003	Chesnut <i>et al.</i>	
	AE23	2003/0100110 A1	05/29/2003	Hartley <i>et al.</i>	
	AF23	2005/0069929 A1	03/31/2005	Chestnut <i>et al.</i>	
	AG23	2005/0095615 A1	05/05/2005	Welch <i>et al.</i>	
	AH23	2005/0176065 A1	08/11/2005	Hanson, George Thomas	

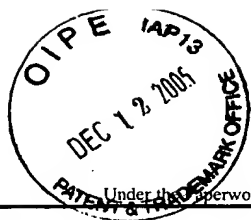
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	AP23	WO 96/19497	06/27/1996	Sloan-Kettering Institute for Cancer Research		
	AL24	WO 01/68836	09/20/2001	Genetica, Inc. and Cold Spring Harbor Laboratory		
	AM24	WO 05/012487	02/10/2005	Invitrogen Corporation		
	AN24	WO 05/014796	02/17/2005	Invitrogen Corporation		

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO				Complete if Known	
FIFTEENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	09/732,914
				Filing Date	December 11, 2000
				First Named Inventor	David CHEO
				Art Unit	1636
				Examiner Name	Ketter, J.S.
Sheet	1	of	3	Attorney Docket Number	0942.5010002/RWE/BJD/JKM

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	AS218	Alonso, J.C., "Site-specific recombination in Gram-positive theta-replicating plasmids," <i>FEMS Microbiol. Lett.</i> 142:1-10 Elsevier Science B.V. (1996)	
	AT218	Amin, A.A., <i>et al.</i> , "Synthesis of an Enzymatically Active FLP Recombinase In Vitro: Search for a DNA-Binding Domain," <i>Molec. and Cell. Biol.</i> 9: 1987-1995, American Society for Microbiology (1989)	
	AR219	Aoki, K., <i>et al.</i> , "Efficient Generation of Recombinant Adenoviral Vectors by Cre-lox Recombination In Vitro," <i>Mol. Med.</i> 5:224-231, Picower Institute Press (April 1999)	
	AT219	Huang, L.-C., <i>et al.</i> , "A bacterial model system for chromosomal targeting," <i>Nucl. Acids Res.</i> 19:443-448, Oxford University Press (1991)	
	AR220	Kanegae, Y., <i>et al.</i> , "Efficient gene activation in mammalian cells by using recombinant adenovirus expressing site-specific Cre recombinase," <i>Nucl. Acids Res.</i> 23:3816-3821, Oxford University Press (1995)	
	AS220	Kijima, T., <i>et al.</i> , "Application of the Cre Recombinase/loxP System Further Enhances Antitumor Effects in Cell Type-specific Gene Therapy Against Carcinoembryonic Antigen-producing Cancer," <i>Cancer Res.</i> 59:4906-4911, American Association for Cancer Research (October 1999)	
	AT220	Lieber, A., <i>et al.</i> , "Recombinant Adenoviruses with Large Deletions Generated by Cre-Mediated Excision Exhibit Different Biological Properties Compared with First-Generation Vectors In Vitro and In Vivo," <i>J. Virol.</i> 70:8944-8960, American Society for Microbiology (1996)	
	AR221	Ng, P., <i>et al.</i> , "A High-Efficiency Cre/loxP-Based System for Construction of Adenoviral Vectors," <i>Human Gene Ther.</i> 10:2667-2672, Mary Ann Liebert, Inc. (November 1999)	
	AS221	Walhout, A.J.M., "Protein Interaction Mapping in <i>C. elegans</i> Using Proteins Involved in Vulval Development," <i>Science</i> 287:116-122, American Association for the Advancement of Science (January 2000)	

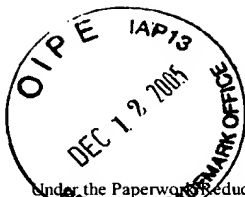
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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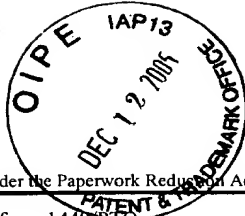
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NON PATENT LITERATURE DOCUMENTS			
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	AT221	Walhout, A.J.M., "GATEWAY Recombinational Cloning: Application to the Cloning of Large Numbers of Open Reading Frames or ORFeomes," <i>Meth. in Enzymol.</i> 328:575-592, Academic Press (October 2000)	
	AR222	Wang, Y., <i>et al.</i> , "Targeted DNA recombination in vivo using an adenovirus carrying the cre recombinase gene," <i>Proc. Natl. Acad. Sci.</i> 93:3932-3936, The National Academy of Sciences (1996)	
	AS222	Copy of United States Patent Application No. 09/984,239, Brasch <i>et al.</i> , filed October 29, 2001 (NOT PUBLISHED)	
	AT222	Copy of United States Patent Application No. 10/633,690, Byrd <i>et al.</i> , filed August 5, 2003 (NOT PUBLISHED)	
	AR223	Copy of Office Action for United States Patent Application No. 09/432,085, Hartley <i>et al.</i> , filed November 2, 1999, mailed June 16, 2005	
	AS223	Copy of Office Action for United States Patent Application No. 09/855,797, Hartley <i>et al.</i> , filed May 16, 2001, mailed April 20, 2005	
	AT223	Copy of Office Action for United States Patent Application No. 09/855,797, Hartley <i>et al.</i> , filed May 16, 2001, mailed October 11, 2005	
	AR224	Copy of Office Action for United States Patent Application No. 09/907,719, Hartley <i>et al.</i> , filed July 19, 2001, mailed July 26, 2005	
	AS224	Copy of Office Action for United States Patent Application No. 10/058,291, Hartley <i>et al.</i> , filed January 30, 2002, mailed April 28, 2005	
	AT224	Copy of Office Action for United States Patent Application No. 10/058,291, Hartley <i>et al.</i> , filed January 30, 2002, mailed October 21, 2005	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T ²
	AR225	Copy of Office Action for United States Patent Application No. 10/058,292, Hartley <i>et al.</i> , filed January 30, 2002, mailed May 26, 2005	
	AS225	Copy of Office Action for United States Patent Application No. 10/058,292, Hartley <i>et al.</i> , filed January 30, 2002, mailed November 18, 2005	
	AT225	Copy of Office Action for United States Patent Application No. 10/151,690, Brasch <i>et al.</i> , filed May 21, 2002, mailed April 18, 2005	
	AR226	Copy of Office Action for United States Patent Application No. 10/162,879, Hartley <i>et al.</i> , filed June 6, 2002, mailed April 28, 2005	
	AS226	Copy of Office Action for United States Patent Application No. 10/162,879, Hartley <i>et al.</i> , filed June 6, 2002, mailed October 20, 2005	
	AT226	Copy of Office Action for United States Patent Application No. 09/517,466, Hartley <i>et al.</i> , filed March 2, 2000, mailed November 18, 2005	

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